

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.2420 of 2014

V.Harikrishnan

.. Appellant/Petitioner

Vs.

1.N.C.Yuvaraj

2.The National Insurance Company Limited,
No.751, Mount Road,
Chennai - 600 002.

.. Respondents/Respondents

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree dated 30.04.2008 made in M.C.O.P.No.4245 of 2005 on the file of the Motor Accident Claims Tribunal, III Small Causes Court, Chennai.

For Appellant : Mr.R.Kishore
for Mr.A.N.Viswanatha Rao

For R2 : Mr.S.Vadivel

J U D G M E N T

The matter is heard through "Video Conferencing".

2.The learned counsel appearing for the appellant as well as the learned counsel appearing for the 2nd respondent-Insurance Company contended that the present appeal is filed against the exparte award dated 30.04.2008 made in M.C.O.P.No.4245 of 2005. In the said claim petition, the respondents 1 and 2 were set exparte and exparte award was passed. Subsequently, the 2nd respondent filed a petition to set aside the exparte award and the said petition was allowed and M.C.O.P. was heard afresh and compensation of Rs.1,50,000/- was awarded to the appellant. In view of the subsequent award passed by the Tribunal after hearing the 2nd respondent, the present appeal has become infructuous.

3.Recording the said submission made by the learned counsel appearing for the appellant, this Civil Miscellaneous Appeal is dismissed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

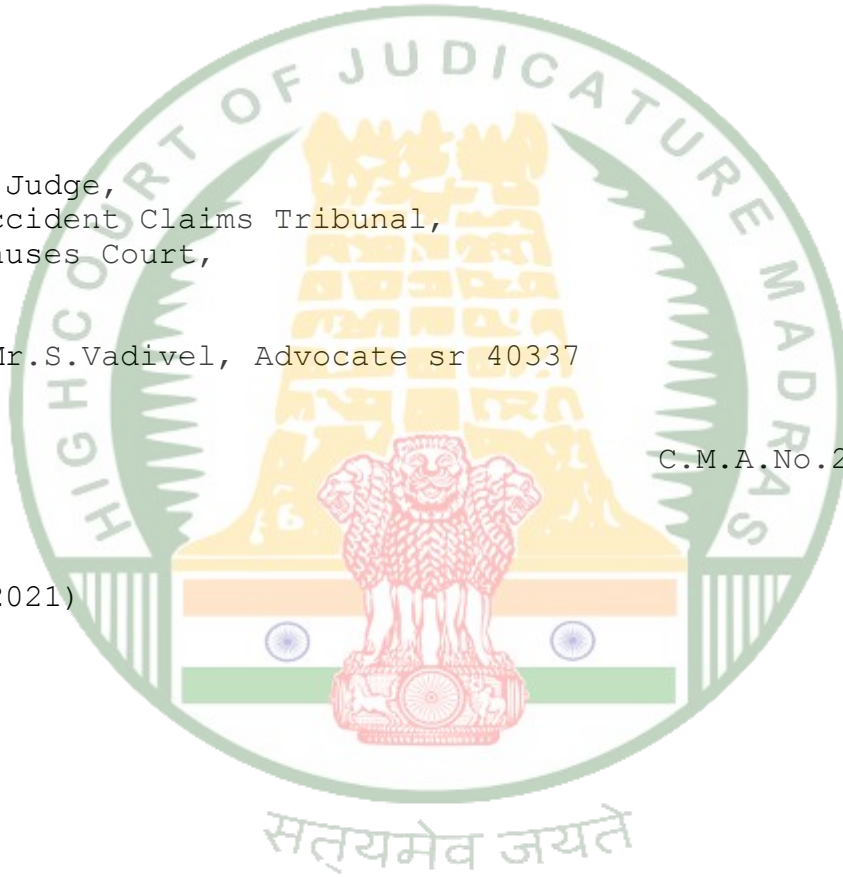
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To

1.The III Judge,
Motor Accident Claims Tribunal,
Small Causes Court,
Chennai.

+1 CC to Mr.S.Vadivel, Advocate sr 40337

C.M.A.No.2420 of 2014

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